



George Latimer
County Executive

Department of Social Services

Kevin M. McGuire
Commissioner

[76558]

DATE: May 5, 2020

TO: Board of Acquisition and Contract

FROM: Kevin M. McGuire
Commissioner, Department of Social Services

SUBJECT: Authority for the County of Westchester to amend an agreement with Westchester Community Opportunity Program, Inc., pursuant to which it was to operate housing that was to be provided by the County for COVID-19 patients who had been released from the hospital but were not yet able to return to their prior housing, by, 1.) modifying its scope of work to include additional services, 2.) increasing the not-to-exceed amount by \$22,238.00 in order to pay for the additional services as well as account for additional supplies and related costs involved in the provision of the original services to a larger number of people, and 3.) modifying its budget in order to allocate the additional funds.

By a resolution approved on April 2, 2020, your Honorable Board authorized the County of Westchester (the "County") to enter into an agreement with Westchester Community Opportunity Program, Inc. ("WestCOP"), pursuant to which WestCOP was to operate housing that was to be provided by the County for COVID-19 patients who had been released from the hospital but were not yet able to return to their prior housing (each such person a "Client"), including, but not necessarily limited to, transportation of each Client to and from the County-provided housing, providing three (3) meals per day per Client, and providing all housekeeping and laundry for each Client, (the "Services") for the period from April 1, 2020 through June 30, 2020, for a total amount not-to-exceed \$369,534.00 (the "Agreement"). The Agreement was subsequently executed.

The County is leasing five (5) additional rooms at which recovering COVID-19 patients may be temporarily housed. Accordingly, the County must account for the additional supplies and related costs involved in the provision of the Services to a larger number of people. In addition, the County has determined that it is important for one (1) additional nurse, who is a

registered nurse with special expertise in infection/communicable diseases prevention and control, to be provided as part of the Services, in order to ensure that nursing services are available seven days per week, for the recovering COVID-19 patients (the “Additional Services”).

Accordingly, the County respectfully requests authority from your Honorable Board for the County to amend the Agreement by, 1.) modifying its scope of work to include the Additional Services, 2.) increasing its not-to-exceed amount by \$22,238.00, from a not-to-exceed amount of \$369,534.00 to a new not-to-exceed amount of \$391,772.00, in order to pay for the Additional Services as well as account for additional supplies and related costs involved in the provision of the Services to a larger number of people, and 3.) modifying its budget in order to allocate the additional funds (the “First Amendment”).

Except as described above, all terms and conditions of the Agreement shall remain in full force and effect.

The proposed First Amendment will serve a public purpose by providing the County with the services it needs in order to ensure the proper operation of the County-provided housing for COVID-19 patients who have been released from the hospital but are not yet able to return to their prior housing.

The goal and objective of the proposed First Amendment is to provide the County with the services it needs in order to ensure the proper operation of the County-provided housing for COVID-19 patients who have been released from the hospital but are not yet able to return to their prior housing.

The goal and objective of the proposed First Amendment is in the best interests of the County in terms of health and safety, as providing the County with the services it needs in order to ensure the proper operation of the County-provided housing for COVID-19 patients who have been released from hospital but are not yet able to return to their prior housing will ensure that such persons have adequate housing and services while they recuperate.

The goal and objective of the proposed First Amendment will be tracked and monitored by the staff of the Department of Social Services.

The procurement of this First Amendment is aimed at addressing the emergency circumstances concerning COVID-19, and the risk that would be associated with each Client not receiving the services he/she needs or otherwise prematurely returning to his/her prior housing. Procuring this First Amendment in compliance with the ordinary requirements of the Westchester County Procurement Policy would, therefore, endanger the health, safety, and well-being of persons by causing the procurement process to take a longer period of time. Accordingly, the proposed First Amendment is being procured as an accelerated procurement pursuant to Section 10 of the Westchester County Procurement Policy.

Section 13 of the Westchester County Procurement Policy specifies that each procurement that is funded, in whole or in part, by federal funds shall be made in accordance

with any and all applicable federal laws, regulations, rules, guidance, instructions, or grant terms. Specifically, this procurement complies with 2 C.F.R. 200.320(f)(2), which allows for non-competitive procurement when “[t]he public exigency or emergency for the requirement will not permit a delay resulting from competitive solicitation”, based on the emergency that currently exists with regard to COVID-19 and the related urgent need for services for persons who will be in County-provided housing while recuperating from the virus.

I respectfully recommend the adoption of the attached Resolution.

KMM/BG/bdm/nm

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/07/2020 - LISI MARIJAS SECRETARY

RESOLUTION

Upon a communication from the Commissioner of the Department of Social Services, be it hereby:

RESOLVED, that the County of Westchester (the "County") is hereby authorized to amend an agreement with Westchester Community Opportunity Program, Inc. ("WestCOP"), pursuant to which WestCOP was to operate housing that was to be provided by the County for COVID-19 patients who had been released from the hospital but were not yet able to return to their prior housing (each such person a "Client"), including, but not necessarily limited to, transportation of each Client to and from the County-provided housing, providing three (3) meals per day per Client, and providing all housekeeping and laundry for each Client, (the "Services") for the period from April 1, 2020 through June 30, 2020, for a total amount not-to-exceed \$369,534.00, (the "Agreement") by, 1.) modifying its scope of work to add the services of one (1) additional nurse, 2.) increasing the not-to-exceed amount by \$22,238.00, from a not-to-exceed amount of \$369,534.00 to a new not-to-exceed amount of \$391,772.00, in order to pay for the Additional Services as well as account for additional supplies and related costs involved in the provision of the Services to a larger number of people, and 3.) modifying its budget in order to allocate the additional funds; and be it further

RESOLVED, that except as hereby authorized to be amended, all terms and conditions of the Agreement shall remain in full force and effect; and be it further

RESOLVED, that the County Executive or his duly authorized designee is empowered to execute all documents and take all actions necessary to effect the purpose of this resolution.

Account to be
Charged/Credited

Fund	Dept	Unit	Object/ Sub Object	Trust Account	Activity	Dollars
101	22	0010	4998			\$22,238.00

Budget Funding Year(s): 2020 Start Date: 04/01/20 End Date: 06/30/20
(must match resolution)

Funding Source

\$22,238.00
(must match resolution)

Tax Dollars: _____

State Aid: _____

Federal Aid: 100% _____

Other: _____

APPROVED BOARD OF ACQUISITION & CONTRACT - 05/07/2020 - LISA MRJAS SECRETARY